

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Pascal AGIN, et al.

Appln. No.: 10/036,356

Group Art Unit: 2688

Confirmation No.: 5474

Examiner: Gelin, J.

Filed: January 07, 2002

For: A METHOD FOR IMPROVING PERFORMANCES OF A MOBILE
RADIOCOMMUNICATION SYSTEM USING A POWER CONTROL ALGORITHM

RESPONSE TO TWO (2) NOTIFICATIONS OF
NON-COMPLIANT APPEAL BRIEF
and
REQUEST FOR INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

First, the undersigned attorney wishes to thank Examiner Gelin for the **telephone interview** so courteously granted to the undersigned attorney on December 30, 2005.

In response to the BPAI's "ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER" mailed on October 17, 2005, Applicant filed on **November 9, 2005** a SUPPLEMENTAL APPEAL BRIEF UNDER 37 C.F.R. § 41.37(c) containing an EVIDENCE APPENDIX and a RELATED PROCEEDINGS APPENDIX (see pages 21 and 22 thereof).

The undersigned attorney then received from Examiner Gelin: (1) on December 12, 2005 a **first** "Notification of Non-Complaint Appeal Brief" (Form PTOL-462) bearing a PTO mail date of **December 9, 2005**, and requiring the **same two APPENDIXES** already supplied in the

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Supplemental Appeal Brief filed on November 9, 2005 by Applicant; and (2) a **second** "Notification of Non-Compliant Appeal Brief" bearing the same mail date of December 9, 2005, but received by the undersigned attorney on **December 13, 2005**, and **again** **requiring the same two APPENDIXES.**

Applicant respectfully submits that the Supplemental Appeal Brief Under 37 C.F.R. § 41.37(c) (filed on November 9, 2005) already complies with the two Notifications of Non-Complaint Appeal Brief, and that **nothing further is required by Applicant/Appellant** for return of this case to the BPAI.

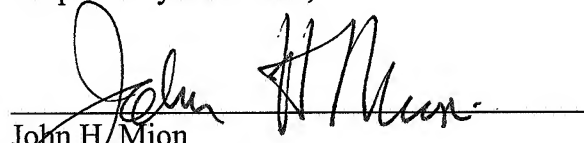
REQUEST FOR INTERVIEW

This Response is being filed at the request of Examiner Gelin, and is understood that, if anything further is required of Applicant/Appellant, **Examiner Gelin will call the undersigned attorney at 202-663-7901.** Otherwise, Applicant/Appellant understands that this case will be returned to

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the BPAI after the Examiner has complied with the "ORDER..." issued by the BPAI on
October 17, 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John H. Mion", is written over a horizontal line.

John H. Mion
Registration No. 18,879
Attorney for Applicant/Appellant

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Date: January 3, 2006